

LB
11/13/03
Item #32

AN ORDINANCE **9 8 4 6 8**

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE-YEAR LICENSE AGREEMENT GRANTING ADVERTISING AND PRODUCT RIGHTS AT THE ALAMODOME TO THE PEPSI BOTTLING GROUP FOR COMPENSATION IN THE AMOUNT OF \$100,000 PER YEAR OF THE LICENSE AGREEMENT AND A MARKETING AND PROMOTIONAL PACKAGE WITH AN ESTIMATED ANNUAL VALUE OF \$1,281,100, FOR A TOTAL ANNUAL VALUE TO THE ALAMODOME OF \$1,381,100.

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WHEREAS, since the Alamodome's opening in May 1993, the San Antonio Spurs owned sole rights to advertising and concessions for the facility including all public concession stands and areas, luxury suites, the Sports Club and the Top of the Dome restaurants and upon their departure, the Alamodome acquired all existing advertising and concessions right; and

WHEREAS, in June 2003, the Alamodome issued a Request for Proposals for non-alcoholic beverage advertising and product rights to both the San Antonio Coca-Cola Bottling Company ("Coke") and the Pepsi Bottling Group ("Pepsi"); and

WHEREAS, several meetings were conducted with Coke and Pepsi regarding the future event forecast for the Alamodome, signage inventory and existing fountain equipment which resulted in both the Coke and Pepsi submitting proposals for the exclusive non-alcoholic beverage advertising and product rights to the Alamodome; and

WHEREAS, staff has determined Pepsi proposal to be in the best interest of the City and recommends that City Council authorize the City Manager to enter into an Advertising License Agreement with Pepsi; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A five-year Advertising License Agreement granting advertising and product rights at the Alamodome to the Pepsi Bottling Group, commencing November 23, 2003 and ending November 22, 2008, for compensation in the amount of \$100,000 per year of the Agreement and a marketing and promotional package with an estimated

annual value of \$1,281,100 to the City, for a total annual value to the Alamodome of \$1,381,100, is hereby authorized and approved.

SECTION 2. The City Manager or her designee is hereby authorized, for a sixty (60)-day period following the effective date of this Ordinance, to execute an Advertising License Agreement with the Pepsi Bottling Group. A copy of said Agreement, in substantially final form, is attached hereto and incorporated herein as Exhibit I.

SECTION 3. The proceeds of this Advertising License Agreement shall be deposited into Fund 29-006 entitled "Miscellaneous Special Revenue," Index Code 048744, entitled, "Advertising."

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance of the City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purposes of this Ordinance.

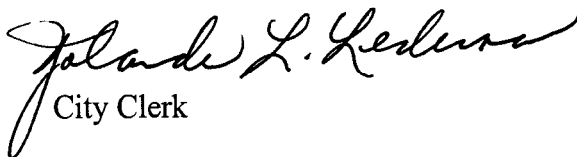
SECTION 5. This Ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 13th day of November, 2003.

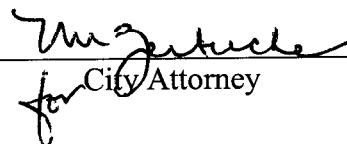


MAYOR
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney